

City Council of the Mayor and Council of New Castle

Regular Council Meeting at Town Hall – 201 Delaware Street – New Castle Tuesday – June 12, 2012 – 7 p.m.

Present:

Council President William Barthel
Councilperson John Cochran
Councilperson John Gaworski
Councilperson Ted Megginson
Councilperson Teel Petty

Also present: Mayor Donald Reese, Treasurer Janet Carlin, City Administrator Cathryn Thomas, Police Chief Kevin McDerby, Building Official Jeff Bergstrom, City Solicitor Daniel Losco

Approval of Minutes by Date

A motion was made by Councilperson Megginson to approve the minutes of April 20, May 8, May 29 and June 5, 2012. Councilperson Cochran seconded the motion. The minutes were approved unanimously.

Approval of Treasurer's Report

Treasurer Carlin reported that, as of May 31, 2012: petty cash on hand was \$1,100; total cash in checking and saving accounts in M&T Bank, \$634,273.50; total certificates of deposit, money market and Delaware Government Investment Pool, \$1,299,791.78; and total cash on hand, \$1,934,065.28.

A motion was made by Councilperson Cochran to approve the Treasurer's Report. Councilperson Gaworski seconded the motion. The report was approved unanimously.

Report from the City Administrator

Administrator Thomas said the only addendum to her written report was related to the budget. The City Council met the previous night for a Budget Workshop and did a full review of the budget line-by-line. It is still being worked on. The Council will meet next Monday at 6 p.m. for what is planned to be the final budget meeting, where Council will approve the budget and set the tax rate.

President Barthel said Administrator's report was accepted as presented.

Staff reports

President Barthel said the staff reports were accepted as presented.

Grant Review

Councilperson Cochran provided the review: ARRA Community Transportation Funds, \$16,227; Separation Day, \$1,500; and Separation Day, \$750.

Business from the Floor

No comments.

Business from the Mayor

Mayor Reese said he is going to Dover for an event for Elizabeth Loncki, a New Castle resident who was in the armed services and killed in the line of duty. He expressed thanks for all who helped and supported Separation Day. There were in excess of 900 people in the parade this year.

Business from the Council President

President Barthel said Council will not be taking up Items No. 2 and No. 4 on the published agenda.

Unfinished Business

1. Motion, Discussion and Vote on Resolution No. 2012-19, approving the placement of a STOP sign on Second Street at its intersection with Harmony Street.

Councilperson Megginson made a motion to approve the resolution. Councilperson Petty seconded the motion.

Councilperson Megginson said the City was approached by several residents in the area who were quite concerned with people speeding down Second Street. The City held a public hearing prior the regular meeting and every one in attendance appeared to be in favor of it.

The motion passed unanimously.

2. Third Reading and Motion, Discussion and Vote on Ordinance No. 489, which proposes to amend Chapter 230-46 relating to Subdivisions and reimbursement to the City for professional fees for plan reviews, of the New Castle City Code.

President Barthel read the proposed ordinance.

Councilperson Megginson made a motion to approve the ordinance. Councilperson Gaworski seconded the motion.

Solicitor Losco explained it is a provision to protect the City if an applicant comes in with a development plan that requires the City to spend money and the applicant is required to reimburse the City. Sometimes an application is turned down. That is why it establishes a contractual obligation to reimburse the City.

New Business

1. Motion, Discussion and Vote on a Bank Resolution to pay TCF Equipment Finance the sum of \$29,692.42 as an installment payment on a trash truck, which amount shall be reimbursed to the City by the Trustees.

Councilperson Petty made a motion to approve the resolution. Councilperson Megginson seconded the motion. The motion was passed unanimously.

2. Comments from the floor

John Hollingsworth, an Eagle Scout candidate from Troop 227, Asbury United Methodist Church. He said he just received his Life rank and is looking for approval to restoring park benches and tables for his Eagle Scout project.

President Barthel thanked him and said it looks like a great project.

Arleen Harris asked if Administrator Thomas had forwarded her email to Council about a Section 27, or amendment, she offered to be added to the charter.

President Barthel said Mrs. Thomas had done so.

Ms. Harris said she recognized the City had put a lot of effort into the changes to the Charter and apologized that her proposed amendment comes after the fact. She said she realizes there is a need for a citizen's appeal process and that's why she submitted the referendum power for the people. She said she recognizes Council's intentions are for the good overall, however, in the future if they are not re-elected and the intentions are not good, the citizens will have a "leg to stand on" with this referendum power. It requires 15 percent of the City's population, 765 signatures. She said she did not submit this with any malice. She said she submitted it with pure intentions should the need ever arise. She asked it be added for consideration at soonest possible agenda.

President Barthel said he appreciated the effort put into that.

Eleanor Garniewski said she can't understand why all these changes were made by City Council and the Mayor without any referendums or right to vote for the citizens of New Castle. In the past the Council and Mayor always handled things, now with all the special interest groups they have to go down to Dover and pass these things.

President Barthel said the City followed a process that is within the lines of the State process. The City followed the legally required process that pretty much every community in the State follows. He said the City held hearings on it and other meetings.

Solicitor Losco pointed out the Charter itself was adopted that way.

Elaine Watson said she wondered why New Castle has to do what other communities do.

Administrator Thomas said the information she has received is that every incorporated municipality with a charter in the State of Delaware in the last multiple decades have done it this way. The people at the Board of Elections said all the other communities have followed this process outlined in State law that the Council adopts a resolution and it is sent down to Dover, where it is either adopted or not.

President Barthel said citizens had plenty of rights. There were eight months of meetings and three public hearings. Council changed some items that were raised at those hearings. The City was told when it went before the Legislature that it went far beyond what other communities do in regard to the Charter Change Committee and the meetings of Council held. There was input.

Councilperson Cochran made a motion to adjourn the meeting. Councilperson Petty seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:23 p.m.

Respectfully submitted,

Michael Dickinson
New Castle City Clerk